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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,432	10/20/2003	Julianne Bielski	RPS920030021US1	2798
45503 7590 11/26/2008 DILLON & YUDELL LLP 8911 N. CAPITAL OF TEXAS HWY., SUITE 2110 AUSTIN, TX 78759				
EXAMINER				
RICEK, JASON D				
ART UNIT		PAPER NUMBER		
2442				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/689,432

Applicant(s)

BIELSKI, JULIANNE

Examiner

JASON RECEK

Art Unit

2442

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-9,11-14 and 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-9, 11-14 and 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This is in response to the amendment filed on August 19th 2008 which concerns application 10/689,432.

Status of Claims

Claims 1-3, 5-9, 11-14 and 16 are pending.

Claims 4, 10, 15 and 17-21 have been cancelled by this amendment.

Claims 1-3, 5-9, 11-14 and 16 are rejected under 35 U.S.C. 103(a).

Response to Arguments

1. Applicant's arguments, see pg. 6-7 with respect to the specification objection, 101 rejection and 112 rejection have been fully considered and are persuasive. The specification objection and the 101 and 112 rejections have been withdrawn.
2. Applicant's arguments with respect to the 102(e) rejection have been fully considered but they are not persuasive for the following reasons. Applicant argues that Komaki does not disclose a device receiving the IP address of a management server from a DHCP server. Komaki does disclose that the network device receives from the DHCP server the IP address of the management server (paragraph 40). When the IP address of the device is dynamically assigned, the device updates the address of the

management server. The address of the management server is stored in the address table of the device (Fig. 2 item 16a).

Applicant also argues that Komaki does not disclose a device transmitting its IP address to a management server. This is also not persuasive. Komaki discloses a device using the IP address of the management server to provide the management server with its IP address (paragraph 62). Whenever the device requests an IP address from the DHCP server, it registers the address with the management server to update it. For at least these reasons applicant's argument are not persuasive.

Nonetheless a new ground of rejection is made because claim 1 now requires that the authorization is received "from" the management computer. See the detailed rejection below for a complete explanation.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-3, 5-9, 11-14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Komaki US 2006/0165056 A1 in view of Spearman US 2003/0051170 A1.

Regarding claim 1, Komaki discloses "receiving in an internet protocol (IP) address issuing computer Option data from a management computer" as a DHCP server (Fig. 1 item 4) that receives network setting information (paragraph 33), receiving "an IP address of the management computer" as a server address that is part of network setting information (paragraph 33),

"sending a request ... for an IP address" as terminal devices requesting an IP address (paragraph 33),

"receiving ... the requested address ... and the IP address of the management computer of the Option data" as receiving a dynamically assigned IP address and network setting information (Option data) including the IP address of a management computer (paragraphs 33 and 40), and

"executing a local code in the remote computer ... to automatically provide the received requested IP address of the remote computer to the management computer" as updating the IP address with the management server (paragraph 62).

Komaki does not explicitly disclose receiving from a management computer "Option data comprising: an identification of and authorization for a remote computer to request an IP address" however this is taught by Spearman US 2003/0051170 A1 as an

authentication (management) server that authorizes the DHCP server to provide an address to a user (paragraph 37).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Komaki by requiring authorization before establishing a connection. The motivation to do so is to provide a more secure network. Authorization is well known in the art and yields predictable results.

Regarding claim 2, Komaki discloses "the management computer is a management server" as a management server (Fig. 1), and "the remote computer is a remote management processor" as terminal devices that have a processor (paragraph 29, Fig. 2a).

Regarding claim 3, Komaki discloses "a Dynamic Host Configuration Protocol (DHCP) server" (paragraph 27, Fig. 1).

Regarding claim 5, Komaki discloses "sending of the request ... for an address ... is automatically prompted by the remote computer being powered on" as automatically obtaining an IP address (paragraph 66). Thus when the remote computer is powered on it will automatically obtain an IP address (send the request).

Regarding claim 6, Komaki discloses "the local code directs the remote computer to automatically provide the address of the remote computer to the management

computer in an ALERT packet" as the terminal automatically registers its IP address with the management server (paragraph 62), this communication would be sent in a packet since the devices are on a TCP/IP network (paragraph 27).

Regarding claims 7-9 and 11, they are system claims that correspond to the method claims 1-3 and 5 respectively, thus they are rejected for similar reasons.

Regarding claims 12-14 and 16, they are computer medium claims that correspond to the method claims 1-3 and 5 respectively, thus they are rejected for similar reasons.

Conclusion

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON RECEK whose telephone number is (571)270-1975. The examiner can normally be reached on Mon - Thurs 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Andrew Caldwell/
Supervisory Patent Examiner, Art
Unit 2442

/Jason Recek/
Examiner, Art Unit 2442

(571)-270-1975

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